

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

KENNETH JOHNSON,

Plaintiff,

v.

Case No. 3:20-cv-569-J-32JBT

ANHEUSER-BUSCH COMPANIES, LLC,

Defendant.

ORDER

On June 9, 2020, defendant removed this case to federal court relying on the Court's diversity jurisdiction, stating that the amount in controversy exceeds \$75,000, plaintiff is a citizen of Florida and defendant Anheuser-Busch Companies, LLC "is a citizen of the State of Delaware." Doc. 1 at ¶B.8. On June 16, 2020, the Court entered an order (Doc. 7) directing defendant to supplement its notice of removal to provide the names and citizenship of each member of the LLC so that the Court could determine whether its diversity jurisdiction was properly invoked. The Court's order cited Rolling Greens, MHP, L.P. v. Comcast SCH Holdings, L.L.C., 374 F.3d 1020, 1022 (11th Cir. 2004), which explains that the citizenship of limited liability companies depends on the citizenship of each member of the limited liability company. As the Eleventh Circuit stated in Rolling Greens, unlike a corporation, "the

citizenship of an artificial, unincorporated entity generally depends on the citizenship of all the members composing the organization.” Id. at 1021. This “general rule for unincorporated entities also applies to limited liability companies[.]” Id. at 1022. Thus, in a removal case, “[t]o sufficiently allege the citizenships of [limited liability companies] a party must list the citizenships of all the members of the limited liability company[.]” Id.

In responding to the Court’s order, defendant actually cited Rolling Greens but then stated: “The sole member of Defendant [Anheuser-Busch Companies, LLC] is ‘Anheuser-Busch Companies, LLC’ and it’s a citizen of the State of Delaware.” Doc. 8 at ¶¶ 2-3. This is essentially the same statement the Court already found to be deficient.

No later than **July 24, 2020**, defendant is ordered to file a second supplement to its notice of removal stating who the members of defendant’s limited liability company are and the citizenship of each of them. If any member is itself an LLC, the names and states of citizenship of each of those entities must be provided as well. If defendant is unable or unwilling to provide this information, this case will be remanded without further notice for defendant’s failure to carry its burden of establishing that the Court has subject matter jurisdiction.

DONE AND ORDERED in Jacksonville, Florida this 8th day of July,
2020.



TIMOTHY J. CORRIGAN
United States District Judge

s.
Copies:
Counsel of record